

# **EXHIBIT**

# **D**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

AMERICAN CIVIL RIGHTS )  
UNION, in its individual )  
and corporate )  
capacities, )  
Plaintiff, )  
vs. ) Civil Action No.  
ELECTION ADMINISTRATOR ) 7:16-CV-00103  
JOHN RODRIGUEZ, in his )  
official capacity; and )  
TEXAS SECRETARY OF STATE )  
ROLANDO PABLOS, in his )  
official capacity, )  
Defendants. )

ORAL DEPOSITION OF

BRIAN KEITH INGRAM

December 4, 2017

ORAL DEPOSITION OF BRIAN KEITH INGRAM, produced  
as a witness at the instance of the Defendants and duly  
sworn, was taken in the above-styled and numbered cause  
on December 4, 2017, from 10:04 a.m. to 12:23 p.m.,  
before KATRINA FAITH WRIGHT, Certified Shorthand Reporter  
in and for the State of Texas, reported by machine  
shorthand, at 300 West 15th Street, 11th Floor, Austin,  
Texas 78701, pursuant to the Federal Rules of Civil  
Procedure and the provisions stated on the record or  
attached hereto.

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APPEARANCES

FOR THE PLAINTIFF:

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STIPULATIONS

The attorneys for all parties present stipulate and agree to the following items:

That the deposition of BRIAN KEITH INGRAM is being taken pursuant to Notice;

That the deposition is being taken pursuant to the Federal Rules of Civil Procedure;

That pursuant to FRCP Rule 30 (f) (1) that the signature of the deponent was requested by the deponent or a party before the completion of the deposition;

That the witness or the witness' attorney will return the signed transcript to the court reporter within 30 days of the date the transcript is provided to the witness' attorney. If not returned, the witness may be deemed to have waived the right to make the changes, and an unsigned copy may be used as though signed.

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I N D E X

WITNESS EXAMINATION

BRIAN KEITH INGRAM

By Mr. Abrams 5

By Mr. Adams 100

E X H I B I T S

EXHIBIT NUMBERS PAGE MARKED FOR ID

Exhibit 1 33

Elizabeth Garza Voter Registration Certificate

Exhibit 2 75

Excel Spreadsheets of counties

Exhibit 3 81

Texas Election Code 13.002

1 purge of voter registration, that's what I have heard it  
2 called. Do you know what I mean when I talk about a  
3 voter registration purge?

4 A. Sure.

5 Q. Could you tell me what you think of as the voter  
6 registration purge?

7 A. The purge is -- generally when you speak of that  
8 is the thing that happens at the end of an even numbered  
9 year. After two federal election cycles, the suspense  
10 voters who haven't voted are removed from the rolls,  
11 canceled.

12 Q. So that's the process of taking all the suspense  
13 voters who are eligible to be canceled and canceling  
14 them, correct?

15 A. Right, changing them from S to C.

16 Q. And does the -- for online counties, does the  
17 Secretary of State perform that function of purging the  
18 suspense voters?

19 A. I think we were the ones that actually throw the  
20 switch, but we have to make sure the county has done all  
21 of their reports. And so the most important report in  
22 that regard is voters who voted. If any of the voters on  
23 suspense have voted, then they need to be off of the  
24 suspense purged list. You can send them another notice  
25 of address confirmation and you can put them in suspense

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CHANGES AND SIGNATURE

2

BRIAN KEITH INGRAM

3

DECEMBER 4, 2017

4

PAGE/LINE

CHANGE

REASON

5

See attached page

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Changes to Deposition of Brian Keith Ingram			
Page	Line	Change	Reason
7	14	Change "Richardon" to "Richardson"	transcription
7	19	Change "MacRea" to "MacRae"	transcription
9	20	Delete "of" from "school of law"	transcription
26	14	Change "no" to "yes"	Clarification
26	19	Change "I don't know that they would know that unless they ran across it and saw a C instead of an S or an A" to "SOS notifies the counties on their dashboard of cancellations so they can move their physical voter file to their inactive voter shelf."	Clarification
27	4	Change "I'm not sure how they would know that" to "They know that because we tell them."	Clarification
27	8-10	Change "So I don't know how they would know that in their paper files. There could be a report they could run. I don't know." to "They know that because we tell them. SOS notifies the counties on their dashboard of cancellations so they can move their physical voter file to their inactive voter shelf."	Clarification
41	24	Insert a "." after "together", and then insert "We had to"	Transcription
42	15	Change "it" to "up"	Transcription
48	12	Change "not not cancellations" to "not non-cancellations"	Clarity
48	16	Change "VR" to "NVRA"	transcription
50	18	Change "at" to "as"	transcription
58	15	Change "TEAM" to "team" (no caps)	transcription
62	5	Change "15th" to "2015"	transcription
64	11	Delete "We" from the start of sentence	transcription
64	24	Change "teams" to "TEAM"	transcription
69	17	Change "office support" to "Office of Court"	transcription
93	23	Change "Harris" to "Harrison"	transcription

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## SIGNATURE

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I, BRIAN KEITH INGRAM, have read the foregoing deposition and hereby affix my signature that the same is true and correct, except as noted on the previous page.

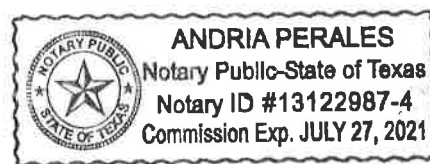


BRIAN KEITH INGRAM

THE STATE OF Texas )COUNTY OF Travis )

Before me, Andria Perales, on this day personally appeared BRIAN KEITH INGRAM, known to me (or proved to me under oath or through TX DL) (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 22 day of January, 2018.



Notary without Bond



NOTARY PUBLIC IN AND FOR

THE STATE OF TexasCOMMISSION EXPIRES: July 27, 2021